

Edwards & Angell LLP

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170

RECEIVED
CENTRAL FAX CENTER

AUG 17 2004

OFFICIAL

FACSIMILE TRANSMITTAL COVER SHEETDATE: August 17, 2004TO: Examiner Irene Marx
(Name)
Mail Stop Amendment
U.S. Patent Office
(Company)FAX NO.: (703) 872-9306COUNTRY: USAFROM: Peter C. LauroFAX NOS.: (617) 439-4170Our Reference No.: 59777No. of pages 16
(including cover sheet)U.S.S.N. 09/885,294

MESSAGE:

Please see attached Amendment and Response for the above-referenced patent application.

Please confirm receipt of this transmission by return facsimile.

Should there be any problem with this transmission, please contact Terri H. Lauro at the above telephone number.

NOTICE

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. If you are not the intended recipient, please contact the sender by collect telephone at the number indicated. You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

AMENDMENT TRANSMITTAL LETTER					Docket No. 59777(49950)	
Application No. 09/865,294-Conf. #2853	Filing Date June 19, 2001	Examiner Irene Marx		Art Unit 1651		
Applicant(s): Lonnie O. Ingram, et al.						
Invention: METHODS FOR IMPROVING CELL GROWTH AND ALCOHOL PRODUCTION DURING FERMENTATION						
TO THE COMMISSIONER FOR PATENTS						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present			
Total Claims	30	- 81 =	0	x		0.00
Independent Claims	1	- 4 =	0	x		0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Other fee (please specify): Extension for response within third month						475.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:						475.00
<input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity						
<input type="checkbox"/> No additional fee is required for this amendment.						
<input checked="" type="checkbox"/> Please charge Deposit Account No. 04-1105 in the amount of \$ 475.00. A duplicate copy of this sheet is enclosed.						
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 04-1105 as described below. A duplicate copy of this sheet is enclosed.						
<input checked="" type="checkbox"/> Credit any overpayment.						
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.						
<i>Refer C. Lauro</i> Refer C. Lauro Attorney Reg. No.: 32,360 EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444				Dated: August 17, 2004		
I hereby certify that this correspondence is being facsimile transmitted to Examiner Irene Marx at the United States Patent and Trademark Office - Mail Stop Amendment at (703) 872-9309 on the date(s) indicated below. Dated, August 17, 2004 Signature: <i>Refer C. Lauro</i> (Refer C. Lauro)						

AUG 17 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re application of: Lonnie O. Ingram, *et al.*

Application No.: 09/885,294

Group No.: 1651

Filed: June 19, 2001

Examiner: Marx, I.

For: *METHODS FOR IMPROVING CELL GROWTH AND ALCOHOL
PRODUCTION DURING FERMENTATION*

Attorney Docket No: 49950-59777 (formerly BCI-026)

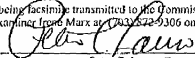
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington, DC 20231, via facsimile to Examiner from Marx at (703) 572-9306 on the date below.

August 17, 2004

Date


Peter C. Lauro, Esq.
Reg. No. 32,360AMENDMENT AND RESPONSE

Dear Sir:

This is a response to the non-final Office Action mailed from the Patent and Trademark Office on February 17, 2004. A request for a three-month extension of time and the appropriate fee based on small entity status are being filed concurrently with this document. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper. Remarks begin on page 8 of this paper.